

CLERK, U.S. BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS

# **ENTERED**

THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed October 10, 2024

United States Bankruptcy Judge

### IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

IN RE:

GANDY'S TRANSPORT, LLC, 

§ CASE NO. 24-43354-elm11

§

DEBTOR. § CHAPTER 11

# INTERIM ORDER GRANTING PAWNEE LEASING CORPORATION'S MOTION FOR RELIEF FROM AUTOMATIC STAY REGARDING EQUIPMENT, IN PART

Before me on an expedited basis came to be considered Pawnee Leasing Corporation's Motion for Relief from Automatic Stay Regarding Equipment (the "Motion") filed by Pawnee Leasing Corporation ("Movant") seeking an Order pursuant to 11 U.S.C. § 362(d)(1) and/or § 362(d)(2) lifting the automatic stay in the above-captioned Chapter 11 proceeding of the Debtor, Gandy's Transport, LLC, ("Debtor"), with respect to the below collateral in which Movant has a security interest (the "Vehicle"):

YEAR	EQUIPMENT DESCRIPTION	VIN/SN
2018	Peterbilt 389	1NPXD49X2JD458359

After reviewing the Motion and considering the arguments of counsel, the Court is of the opinion that the Motion should be **GRANTED IN PART ON AN INTERIM BASIS**.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the automatic stay shall immediately be lifted on a limited basis, and solely for the purpose of, allowing Ritchie Bros. Auctioneers, Inc. to deliver the certificate of title to the Vehicle, along with any other documentation necessary to transfer title, to Movant.

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that the automatic stay shall immediately be lifted on a limited basis, and under the terms of this Order, to allow Movant and Debtor to cooperate and take any necessary steps to obtain a certificate of title showing Debtor as owner of the Vehicle with Movant as the stated lien holder on the title, including but not limited to, adequate documentation so that the Vehicle may be titled, inspected, issued Interstate registration inclusive of license plates and cab cards, to allow Debtor and or its authorized agents to operate the Vehicle legally, and the parties' interests therein protected.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that a final hearing on the Motion will be held on **October 16, 2024, at 1:30 p.m. CT**, Room 204, U.S. Courthouse, 501 W. Tenth Street, Fort Worth, Texas 76102 and/or WebEx Link: https://uscourts.webex.com/meet/morris - Meeting Number: 2309-445-3213. For WebEx Telephonic Only Participation/Attendance: Dial-In: 1.650.479.3207, Meeting ID: 2309 445 3213.

###END OF ORDER###

#### **AGREED AS TO FORM AND SUBSTANCE:**

/s/ Owen C. Babcock
State Bar No. 24104585
Padfield & Stout LLP
100 Throckmorton Street, Suite 700
Fort Worth, Texas 76102
Telephone: (817) 338-1616
obabcock@padfieldstout.com

Attorney for Pawnee Capital Corporation

## /s/ M. Jermaine Watson (by permission)

M. Jermaine Watson State Bar No. 24063055

# **CANTEY HANGER LLP**

600 West 6th Street, Suite 300 Fort Worth, TX 76102 Telephone: 817-877-2800

Telephone: 817-877-2800 Facsimile: 817-333-2961

Email: jwatson@canteyhanger.com

and

Ross Tower 500 N. Akard St., Suite 2940 Dallas, TX 75201 Telephone: 214-978-4102

Facsimile: 214-978-4150

Proposed Counsel to Gandy's Transport, LLC